PATENT

IN THE UNITED STATE PATENT AND TRADEMARK OFFICE
BEFORE THE BOARD OF PATENT APPEALS AND INTERFERENCES

In re application of:	:	Lalitha Agnihotri et al.
For:	:	SYSTEM AND METHOD FOR PROVIDING A MULTIMEDIA SUMMARY OF A VIDEO PROGRAM
Serial No.	:	09/747,107
Filed	:	December 21, 2000
Art Unit	:	2617
Examiner	:	Joseph G. Ustaris
Attorney Docket No.	:	US 000390
Confirmation No.	:	1484

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APPEAL BRIEF

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Commissioner for Patents
P.O. Box 1450
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Sir:

This Appeal Brief is submitted in support of the Notice of Appeal filed November 18, 2005.

I. REAL PARTY IN INTEREST

The party in interest is the assignee, PHILIPS ELECTRONICS NORTH AMERICA

CORPORATION. The assignment document is recorded at Reel 011406 and Frame 0942.

II. RELATED APPEALS AND INTERFERENCES

There are no related appeals and interferences.

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III. STATUS OF CLAIMS

This is an appeal from the Final Office Action dated July 12, 2005 rejecting claims 1-38. No other claims are pending in the application. The claims being appealed are claims 1-38.

IV. STATUS OF AMENDMENTS

An amendment under 37 CFR §1.116 was filed by the Appellant on November 14, 2005. This amendment was filed to correct an informality in Claim 34 that was noted by the Appellant, and was intended to put the claims in better form for Appeal. Specifically, by this amendment the word "said" was replaced with "an" in line 4 of the claim. This amendment has not been entered by the Examiner.

The copy of appealed claims 1-38 is presented without entry of the 1.116 amendment.

V. SUMMARY OF CLAIMED SUBJECT MATTER

The present invention relates to a method, a system, and computer-executable instructions for providing a multimedia summary of a video program and said multimedia summary, wherein a **domain of said video program is identified** and audio-video segments of the program are selected according to said **identified domain**.

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Claim 1 (independent)

The system for creating a multimedia summary of a video program, as claimed in independent claim 1, comprises a multimedia summary generator (Fig. 2, ref. 250), which identifies a domain (i.e. a "genre" or "category") of said video program (page 19, lines 15-20) and obtains a text transcript and audio-video segments (page 19, lines 11-15) of said video program. The multimedia summary generator combines portions of said transcript and portions of said audio-video segments according to the domain of the video program to create the multimedia summary (page 4, line 20 to page 5, line 2).

Claim 7 (independent)

The video display system capable of creating a multimedia summary of a video program, as claimed in independent claim 7, comprises a multimedia summary generator (Fig. 2, ref. 250), which identifies a domain (i.e. a "genre" or "category") of said video program (page 19, lines 15-20) and obtains a text transcript and audio-video segments (page 19, lines 11-15) of said video program. The multimedia summary generator combines portions of said transcript and portions of said audio-video segments according to the domain of the video program to create the multimedia summary (page 4, line 20 to page 5, line 2).

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Claim 13 (independent)

The method for creating a multimedia summary of a video program using a video display system, as claimed in independent claim 13, comprises the steps of: identifying a domain (i.e. a "genre" or "category") of said video program (Fig. 4, step 410; page 19, lines 15-20); obtaining a transcript of the text of said video program in a multimedia summary generator (page 19, lines 11-13); obtaining audio-video segments of said video program in said multimedia summary generator (page 19, lines 13-15); and combining portions of said transcript and portions of said audio-video segments in said multimedia summary generator to create said multimedia summary of said video program (page 4, line 20 to page 5, line 20, wherein said portions of said audio-video segments are selected according to said domain of said video program (page 26, lines 4-7).

Claim 19 (independent)

As claimed in claim 19, the computer-executable instructions stored on a computer-readable storage medium for creating a multimedia summary of a video program comprise the steps of: identifying a domain (i.e. a "genre" or "category") of said video program (Fig. 4, step 410; page 19, lines 15-20); obtaining a transcript of the text of said video program in a multimedia summary generator (page 19, lines 11-13); obtaining audio-video segments of said video program in said multimedia summary generator (page 19, lines 13-15); and combining portions of said transcript and portions of said audio-video segments in said multimedia summary generator to create said multimedia summary of said video program (page 4, line 20 to page 5, line 20, wherein said portions

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of said audio-video segments are selected according to said domain of said video program (page 26, lines 4-7).

Claim 25 (independent)

The multimedia summary of a video program, as claimed in claim 25, comprises at least one audio-visual segment of said video program that relates to an identified domain of said video program (page 17, line 18 to page 18, line 6).

Claim 34 (independent)

The multimedia summary of a video program, as claimed in claim 34, comprises a plurality of audio-visual segments of said video program that relate to at least one topic (page 5, lines 8-12) related to an identified domain of said video program, and at least one topic entry point (page 5, lines 13-15) associated with said plurality of audio-visual segments. Said entry point allows a viewer to access the plurality of audio-visual segments associated with said topic(page 5, lines 15-16).

VI. GROUNDS OF REJECTION TO BE REVIEWED ON APPEAL

A..   Claims 1-3, 7-9, 13-15, 19-21, 25-27, 29-31 and 34 stand rejected under 35 U.S.C. §102(e) as being unpatentable over US Patent No. 6,263,507 to Ahmad et al. ("Ahmad").

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B.   Claims 4-6, 10-12, 16-18, 22-24, 28, 32, 33 and 35 stand rejected under 35 U.S.C.

§103(a) as being unpatentable over Ahmad in view of US Patent No. 6,580,437 to Liou et al.

("Liou").

C.   Claims 36-38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over

Ahmad in view of an IEEE MultiMedia article by Satoh et al., titled "Name-It: Naming and

Detecting Faces in News Videos" ("Name-It article"), and US Patent No. 5,093,719 to Hoarty et al.

("Hoarty").

VII. ARGUMENT

In the Final Office Action the Examiner rejected all independent claims (i.e. claims 1, 7, 13,

19, 25 and 34) under 35 U.S.C. §102(e) as being anticipated by Ahmad.

The test for anticipation under section 102 is whether each and every element as set forth in

the claim is found, either expressly or inherently described, in a single prior art reference. *Verdegaal*

Bros. v. Union Oil Co. of California, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987); MPEP §2131. The

identical invention must be shown in as complete detail as is contained in the claim. *Richardson v.*

Suzuki Motor Co., 9 USPQ2d 1913, 1920 (Fed. Circ. 1989); MPEP §2131. The elements must also

be arranged as required by the claim. *In re Bond*, 15 USPQ2d 1566 (Fed. Cir. 1990).

Appellant will show that the prior art reference cited by the Examiner does not teach all the

claim limitations, as recited in each of the independent Claims 1, 7, 13, 19, 25, 34, and consequently

in any of their respective dependent claims.

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A. Rejection of Claims 1-3, 7-9, 13-15, 19-21, 25-27, 29-31 and 34 under 35 U.S.C. §102(e)

Claims 1-3, 7-9, 13-15, 19-21, 25-27, 29-31 and 34 stand rejected under 35 U.S.C. §102(e) as

being unpatentable over US Patent No. 6,263,507 to Ahmad et al. ("Ahmad").

Claim 1

One of the features of the present invention, as claimed in claim 1, is the capability of the

multimedia summary generator to **identify a domain** of the video program and to combine portions

of a transcript and portions of audio-video segments **selected according to said domain.**

Appellant notes that, as set forth in MPEP §2110.01 "**Appellant may be own**

lexicographer" and as set forth in MPEP §2173.05(a): "**When the specification states the meaning**

that a term in the claim is intended to have, the claim is examined using that meaning, in order

to achieve a complete exploration of the Appellant's invention and its relation to the prior art. *In re*

Zletz, 893 F.2d 319, 13 USPQ2d 1320 (Fed. Cir. 1989)." The MPEP §2111 also states: "See also *In*

re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997) (The court held that

the PTO is not required, in the course of prosecution, to interpret claims in applications in the same

manner as a court would interpret claims in an infringement suit. Rather, the "PTO applies to

verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage

as they would be understood by one of ordinary skill in the art, **taking into account whatever**

enlightenment by way of definitions or otherwise that may be afforded by the written

description contained in Appellant's specification.")."

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In this particular case, the term "domain" is defined in Appellant's application at page 19, lines 15-20 of the specification: "controller 250 first identifies the type of the video program (referred to as a "domain" or "category" or "genre"). For example, the "domain" (or "category" or "genre") of a video program may be a "talk show" or a "news program." In the description that follows the term "domain" will be used."

Contrary to the Examiner's assertion, Ahmad does not teach this particular feature. Ahmad shows a browser for navigating a body of information represented by audiovisual data. The only application disclosed by Ahmad is a "news browser" that "can be used to review news stories acquired during one day from several television news programs (e.g., CNN Headline News, NBC Nightly News), as well as from text news sources (e.g., news wire services, traditional print media such as newspapers and magazines, and online news services such as Clarinet™)" (Col. 3:4-14).

Ahmad's news browser does not identify a domain of a video program because Ahmad's news browser only deals with one domain of video program, which is "news" programs.

Additionally, as claimed in claim 1, the audio-video segments are selected according to the domain of the video program. This means that the method for selecting the audio-video segments is different for each domain, or genre, of video program: the audio-video segments will not be selected the same way for, e.g., a talk-show, a news program or a sports broadcast (page 20, lines 4-19 of the specification). Appellant submits that Ahmad does not teach this feature. What Ahmad shows is a Graphical User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose between different topics in a news browser by clicking on one of the icons (Fig, 2A, 201; Fig. 2B, 211 and 215; Col. 3:26-33; Col. 15:8-42).

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Moreover, in the Advisory Action dated 12/12/2005, the Examiner asserted that "reading the claims in broadest sense, Ahmad does meet the limitations of the claims. Ahmad discloses that user can "**identify a domain** of a video program" by selecting one the topic icons shown in Fig. 2b."

Appellant submits that this assertion in itself shows a misinterpretation of claim 1 by the Examiner. As claimed in claim 1, the identification of a domain of the video program is done by the multimedia summary generator, not by the user.

Accordingly, claim 1 is patentable over Ahmad because Ahmad does not describe each and every element as set forth in the claim, neither expressly nor inherently.

Claims 2-3

Appellant incorporates herein by reference the arguments presented above against the rejection of claim 1 under 35 U.S.C. § 102(e) over Ahmad. Claims 2 and 3 depend from claim 1 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in claims 2 and 3. Claim 2 further sets forth that the multimedia summary generator selects an audio-video segment that relates to a topic of the video program, said topic being selected according to the domain of the video program. Claim 3 depends from claim 2 and further claims a controller capable of executing computer software instructions which comprise the steps of: determining a set of topic cues associated with the domain of the video program, identifying at least one topic cue in the transcript of the video program, selecting an audio-visual segment associated with a topic cue, and adding said topic cue and said audio-visual segment to the multimedia summary.

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As previously stated herein above, Ahmad does not teach that the multimedia summary generator selects an audio-video segment that relates to a topic of the video program, said topic being selected according to the domain of the video program. Instead, what Ahmad shows is a Graphical User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose between different topics in a news browser by clicking on one of the icons (Col. 16:55 to Col. 17:8).

Regarding claim 3, Appellant submits that by misconstruing the "text breaks", or "markers", disclosed in Ahmad as "topic cues," the Examiner again misinterprets the claims by giving to the phrase "topic cue" a meaning that is not only different from the meaning that is provided in the specification of the present application, but is also different from its ordinary meaning. A topic cue provides information on the content of an audio-video segment, whereas a text break or marker merely provides a boundary for a section of a text.

Appellant submits that Ahmad does not show all the elements of claims 2 and 3, and therefore claims 2 and 3 are patentable over Ahmad.

Claim 7

The Examiner rejected claim 7, stating:

"Claim 7 contains the limitations of claim 1 (wherein the control device and system controller are embodied along with a television, a computer display monitor, or "video display system") and is analyzed as previously discussed with respect to that claim."

Accordingly, Appellant incorporates hereafter the arguments presented above against the rejection of Claim 1 under 35 U.S.C. §102(e) over Ahmad, and submits that claim 7 is patentable

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over Ahmad for at least the same reasons that claim 1 is patentable thereover. In particular, Appellant submits that Ahmad does not teach a video display system comprising a multimedia summary generator capable of identifying a domain of a video program, as claimed in claim 7.

One of the features of the present invention, as claimed in claim 7, is the capability of the multimedia summary generator to **identify a domain** of the video program and to combine portions of a transcript and portions of audio-video segments **selected according to said domain.**

Appellant notes that, as set forth in MPEP §2110.01 **"Appellant may be own lexicographer"** and as set forth in MPEP §2173.05(a): **"When the specification states the meaning that a term in the claim is intended to have, the claim is examined using that meaning,** in order to achieve a complete exploration of the Appellant's invention and its relation to the prior art. *In re Zletz*, 893 F.2d 319, 13 USPQ2d 1320 (Fed. Cir. 1989)." The MPEP §2111 also states: "See also *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997) (The court held that the PTO is not required, in the course of prosecution, to interpret claims in applications in the same manner as a court would interpret claims in an infringement suit. Rather, the "PTO applies to verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art, **taking into account whatever enlightenment by way of definitions or otherwise that may be afforded by the written description** contained in Appellant's specification.")."

In this particular case, the term "domain" is defined in Appellant's application at page 19, lines 15-20 of the specification: "controller 250 first identifies the type of the video program (referred to as a "domain" or "category" or "genre"). For example, the "domain" (or "category" or

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"genre") of a video program may be a "talk show" or a "news program." In the description that

follows the term "domain" will be used."

Contrary to the Examiner's assertion, Ahmad does not teach this particular feature. Ahmad

shows a browser for navigating a body of information represented by audiovisual data. The only

application disclosed by Ahmad is a "news browser" that "can be used to review news stories

acquired during one day from several television news programs (e.g., CNN Headline News, NBC

Nightly News), as well as from text news sources (e.g., news wire services, traditional print media

such as newspapers and magazines, and online news services such as Clarinet™)" (Col. 3:4-14).

Ahmad's news browser does not identify a domain of a video program because Ahmad's

news browser only deals with one domain of video program, which is "news" programs.

Additionally, as claimed in claim 7, the audio-video segments are selected according to the

domain of the video program. This means that the method for selecting the audio-video segments is

different for each domain, or genre, of video program: the audio-video segments will not be selected

the same way for, e.g., a talk-show, a news program or a sports broadcast (page 20, lines 4-19 of the

specification). Appellant submits that Ahmad does not teach this feature. What Ahmad shows is a

Graphical User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose

between different topics in a news browser by clicking on one of the icons (Fig, 2A, 201; Fig. 2B,

211 and 215; Col. 3:26-33; Col. 15:8-42).

Moreover, in the Advisory Action dated 12/12/2005, the Examiner asserted that "reading the

claims in broadest sense, Ahmad does meet the limitations of the claims. Ahmad discloses that user

can "identify a domain of a video program" by selecting one the topic icons shown in Fig. 2b."

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Appellant submits that this assertion in itself shows a misinterpretation of claim 7 by the Examiner. As claimed in claim 7, the identification of a domain of the video program is done by the multimedia summary generator, not by the user.

Accordingly, claim 7 is patentable over Ahmad because Ahmad does not describe each and every element as set forth in the claim, neither expressly nor inherently.

Claims 8-9

The Examiner rejected claims 8 and 9 stating:

"Claims 8 and 9 contains the limitations of claims 2, 3 and 7 and is analyzed as previously discussed with respect to those claims."

Accordingly, Appellant incorporates hereafter the arguments presented above against the rejection of claims 2, 3 and 7 under 35 U.S.C. §102(e) over Ahmad, and submits that claims 8 and 9 are patentable over Ahmad for at least the same reasons that claims 2, 3 and 7 are patentable thereover.

Appellant incorporates herein by reference the arguments presented above against the rejection of claim 7 under 35 U.S.C. §102(e) over Ahmad. Claims 8 and 9 depend from claim 7 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in claims 8 and 9. Claim 8 further sets forth that the multimedia summary generator selects an audio-video segment that relates to a topic of the video program, said topic being selected according to the domain of the video program. Claim 9 depends from claim 8 and further claims a controller capable of executing computer software instructions which comprise the steps of:

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determining a set of topic cues associated with the domain of the video program, identifying at least

one topic cue in the transcript of the video program, selecting an audio-visual segment associated

with a topic cue, and adding said topic cue and said audio-visual segment to the multimedia

summary.

As previously stated herein above, Ahmad does not teach that the multimedia summary

generator selects an audio-video segment that relates to a topic of the video program, said topic being

selected according to the domain of the video program. Instead, what Ahmad shows is a Graphical

User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose between

different topics in a news browser by clicking on one of the icons (Col. 16:55 to Col. 17:8).

Regarding claim 9, Appellant submits that by misconstruing the "text breaks", or "markers",

disclosed in Ahmad as "topic cues," the Examiner again misinterprets the claims by giving to the

phrase "topic cue" a meaning that is not only different from the meaning that is provided in the

specification of the present application, but is also different from its ordinary meaning. A topic cue

provides information on the content of an audio-video segment, whereas a text break or marker

merely provides a boundary for a section of a text.

Appellant submits that Ahmad does not show all the elements of claims 8 and 9, and

therefore claims 8 and 9 are patentable over Ahmad.

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Claim 13

The Examiner rejected claim 13, stating:

"Claim 13 contains the limitations of claim 1 and is analyzed as previously discussed
with respect to that claim."

Accordingly, Appellant incorporates hereafter the arguments presented above against the

rejection of Claim 1 under 35 U.S.C. §102(e) over Ahmad, and submits that claim 13 is patentable

over Ahmad for at least the same reasons that claim 1 is patentable thereover. In particular,

Appellant submits that Ahmad does not teach a method for creating a multimedia summary

comprising the step of identifying a domain of a video program, as claimed in claim 13.

One of the features of the present invention, as claimed in claim 13, is the steps of

identifying a domain of the video program and of combining portions of a transcript and portions of

audio-video segments **selected according to said domain**.

Appellant notes that, as set forth in MPEP §2110.01 **"Appellant may be own**

lexicographer" and as set forth in MPEP §2173.05(a): **"When the specification states the meaning**

that a term in the claim is intended to have, the claim is examined using that meaning, in order

to achieve a complete exploration of the Appellant's invention and its relation to the prior art. *In re*

Zletz, 893 F.2d 319, 13 USPQ2d 1320 (Fed. Cir. 1989)." The MPEP §2111 also states: "See also *In*

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the PTO is not required, in the course of prosecution, to interpret claims in applications in the same

manner as a court would interpret claims in an infringement suit. Rather, the "PTO applies to

verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage

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as they would be understood by one of ordinary skill in the art, **taking into account whatever enlightenment by way of definitions or otherwise that may be afforded by the written description** contained in Appellant's specification.")."

In this particular case, the term "domain" is defined in Appellant's application at page 19, lines 15-20 of the specification: "controller 250 first identifies the type of the video program (referred to as a "domain" or "category" or "genre"). For example, the "domain" (or "category" or "genre") of a video program may be a "talk show" or a "news program." In the description that follows the term "domain" will be used."

Contrary to the Examiner's assertion, Ahmad does not teach this particular feature. Ahmad shows a browser for navigating a body of information represented by audiovisual data. The only application disclosed by Ahmad is a "news browser" that "can be used to review news stories acquired during one day from several television news programs (e.g., CNN Headline News, NBC Nightly News), as well as from text news sources (e.g., news wire services, traditional print media such as newspapers and magazines, and online news services such as Clarinet™)" (Col. 3:4-14).

Ahmad's news browser does not identify a domain of a video program because Ahmad's news browser only deals with one domain of video program, which is "news" programs.

Additionally, as claimed in claim 13, the audio-video segments are selected according to the domain of the video program. This means that the method for selecting the audio-video segments is different for each domain, or genre, of video program: the audio-video segments will not be selected the same way for, e.g., a talk-show, a news program or a sports broadcast (page 20, lines 4-19 of the specification). Appellant submits that Ahmad does not teach this feature. What Ahmad shows is a

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Graphical User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose

between different topics in a news browser by clicking on one of the icons (Fig, 2A, 201; Fig. 2B,

211 and 215; Col. 3:26-33; Col. 15:8-42).

Moreover, in the Advisory Action dated 12/12/2005, the Examiner asserted that "reading the

claims in broadest sense, Ahmad does meet the limitations of the claims. Ahmad discloses that **user**

can "identify a domain of a video program" by selecting one the topic icons shown in Fig. 2b."

Appellant submits that this assertion in itself shows a misinterpretation of claim 13 by the

Examiner. As claimed in claim 13, the identification of a domain of the video program is done in the

video display system, not by the user.

Accordingly, claim 13 is patentable over Ahmad because Ahmad does not describe each and

every element as set forth in the claim, neither expressly nor inherently.

Claims 14-15

The Examiner rejected claims 14 and 15 stating:

"Claims 14 and 15 contains the limitations of claims 2, 3 and 13 and is analyzed as
previously discussed with respect to those claims."

Accordingly, Appellant incorporates hereafter the arguments presented above against the

rejection of claims 2, 3 and 13 under 35 U.S.C. § 102(e) over Ahmad, and submits that claims 14 and

15 are patentable over Ahmad for at least the same reasons that claims 2, 3 and 13 are patentable

thereover.

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Appellant incorporates herein by reference the arguments presented above against the rejection of claim 13 under 35 U.S.C. §102(e) over Ahmad. Claims 14 and 15 depend from claim 13 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in claims 14 and 15. Claim 14 further sets forth that the multimedia summary generator selects an audio-video segment that relates to a topic of the video program, said topic being selected according to the domain of the video program. Claim 15 depends from claim 14 and further sets forth the steps of: determining a set of topic cues associated with the domain of the video program, identifying at least one topic cue in the transcript of the video program, selecting an audio-visual segment associated with a topic cue, and adding said topic cue and said audio-visual segment to the multimedia summary.

As previously stated herein above, Ahmad does not teach that the multimedia summary generator selects an audio-video segment that relates to a topic of the video program, said topic being selected according to the domain of the video program. Instead, what Ahmad shows is a Graphical User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose between different topics in a news browser by clicking on one of the icons (Col. 16:55 to Col. 17:8).

Regarding claim 15, Appellant submits that by misconstruing the "text breaks", or "markers", disclosed in Ahmad as "topic cues," the Examiner again misinterprets the claims by giving to the phrase "topic cue" a meaning that is not only different from the meaning that is provided in the specification of the present application, but is also different from its ordinary meaning. A topic cue provides information on the content of an audio-video segment, whereas a text break or marker merely provides a boundary for a section of a text.

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Appellant submits that Ahmad does not show all the elements of claims 14 and 15, and

therefore claims 14 and 15 are patentable over Ahmad.

Claim 19

The Examiner rejected claim 19, stating:

"Claim 19 contains the limitations of claim 1 and is analyzed as previously discussed
with respect to that claim. Furthermore, Ahmad discloses that the process can be
executed via instructions within a computer readable medium encoded with one or
more computer programs (See column 5 lines 5-10)."

Accordingly, Appellant incorporates hereafter the arguments presented above against the

rejection of Claim 1 under 35 U.S.C. §102(e) over Ahmad, and submits that claim 19 is patentable

over Ahmad for at least the same reasons that claim 1 is patentable thereover. In particular,

Appellant submits that Ahmad does not teach computer-executable instructions stored on a

computer-readable storage medium creating a multimedia summary comprising the step of

identifying a domain of a video program, as claimed in claim 19.

One of the features of the present invention, as claimed in claim 19, is the steps of

identifying a domain of the video program and of combining portions of a transcript and portions of

audio-video segments **selected according to said domain.**

Appellant notes that, as set forth in MPEP §2110.01 "**Appellant may be own**

lexicographer" and as set forth in MPEP §2173.05(a): "**When the specification states the meaning**

that a term in the claim is intended to have, the claim is examined using that meaning, in order

to achieve a complete exploration of the Appellant's invention and its relation to the prior art. *In re*

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Zletz, 893 F.2d 319, 13 USPQ2d 1320 (Fed. Cir. 1989)." The MPEP §2111 also states: "See also *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997) (The court held that the PTO is not required, in the course of prosecution, to interpret claims in applications in the same manner as a court would interpret claims in an infringement suit. Rather, the "PTO applies to verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art, **taking into account whatever enlightenment by way of definitions or otherwise that may be afforded by the written description** contained in Appellant's specification.")."

In this particular case, the term "domain" is defined in Appellant's application at page 19, lines 15-20 of the specification: "controller 250 first identifies the type of the video program (referred to as a "domain" or "category" or "genre"). For example, the "domain" (or "category" or "genre") of a video program may be a "talk show" or a "news program." In the description that follows the term "domain" will be used."

Contrary to the Examiner's assertion, Ahmad does not teach this particular feature. Ahmad shows a browser for navigating a body of information represented by audiovisual data. The only application disclosed by Ahmad is a "news browser" that "can be used to review news stories acquired during one day from several television news programs (e.g., CNN Headline News, NBC Nightly News), as well as from text news sources (e.g., news wire services, traditional print media such as newspapers and magazines, and online news services such as Clarinet™)" (Col. 3:4-14).

Ahmad's news browser does not identify a domain of a video program because Ahmad's news browser only deals with one domain of video program, which is "news" programs.

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Additionally, as claimed in claim 19, the audio-video segments are selected according to the domain of the video program. This means that the method for selecting the audio-video segments is different for each domain, or genre, of video program: the audio-video segments will not be selected the same way for, e.g., a talk-show, a news program or a sports broadcast (page 20, lines 4-19 of the specification). Appellant submits that Ahmad does not teach this feature. What Ahmad shows is a Graphical User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose between different topics in a news browser by clicking on one of the icons (Fig. 2A, 201; Fig. 2B, 211 and 215; Col. 3:26-33; Col. 15:8-42).

Moreover, in the Advisory Action dated 12/12/2005, the Examiner asserted that "reading the claims in broadest sense, Ahmad does meet the limitations of the claims. Ahmad discloses that user can "identify a domain of a video program" by selecting one the topic icons shown in Fig. 2b."

Appellant submits that this assertion in itself shows a misinterpretation of claim 19 by the Examiner. As claimed in claim 19, the identification of a domain of the video program is done in the video display system, not by the user.

Accordingly, claim 19 is patentable over Ahmad because Ahmad does not describe each and every element as set forth in the claim, neither expressly nor inherently.\

Claims 20-21

The Examiner rejected claims 20 and 21 stating:

"Claims 20 and 21 contains the limitations of claims 2, 3 and 19 and is analyzed as previously discussed with respect to those claims."

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Accordingly, Appellant incorporates hereafter the arguments presented above against the

rejection of claims 2, 3 and 19 under 35 U.S.C. § 102(e) over Ahmad, and submits that claims 20 and

21 are patentable over Ahmad for at least the same reasons that claims 2, 3 and 19 are patentable

thereover.

Appellant incorporates herein by reference the arguments presented above against the

rejection of claim 19 under 35 U.S.C. § 102(e) over Ahmad. Claims 20 and 21 depend from claim 19

and accordingly are allowable for at least this reason as well as for the separately patentable elements

contained in claims 20 and 21. Claim 20 further sets forth that the multimedia summary generator

selects an audio-video segment that relates to a topic of the video program, said topic being selected

according to the domain of the video program. Claim 21 depends from claim 20 and further sets

forth the steps of: determining a set of topic cues associated with the domain of the video program,

identifying at least one topic cue in the transcript of the video program, selecting an audio-visual

segment associated with a topic cue, and adding said topic cue and said audio-visual segment to the

multimedia summary.

As previously stated herein above, Ahmad does not teach that the multimedia summary

generator selects an audio-video segment that relates to a topic of the video program, said topic being

selected according to the domain of the video program. Instead, what Ahmad shows is a Graphical

User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose between

different topics in a news browser by clicking on one of the icons (Col. 16:55 to Col. 17:8).

Regarding claim 21, Appellant submits that by misconstruing the "text breaks", or "markers",

disclosed in Ahmad as "topic cues," the Examiner again misinterprets the claims by giving to the

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phrase "topic cue" a meaning that is not only different from the meaning that is provided in the specification of the present application, but is also different from its ordinary meaning. A topic cue provides information on the content of an audio-video segment, whereas a text break or marker merely provides a boundary for a section of a text.

Appellant submits that Ahmad does not show all the elements of claims 20 and 21, and therefore claims 20 and 21 are patentable over Ahmad.

Claims 25-27 and 29-31

The Examiner rejected claim 25, stating:

"Regarding claim 25, the summary within the GUI has at least one video images of the news program, wherein the video images "relates to an identified domain of said video program" as discussed in claim 1 above (See Fig. 2A and 2B)."

Accordingly, Appellant incorporates hereafter the arguments presented above against the rejection of Claim 1 under 35 U.S.C. §102(e) over Ahmad, and submits that claim 25 is patentable over Ahmad for at least the same reasons that claim 1 is patentable thereover. In particular, Appellant submits that Ahmad does not teach a multimedia summary of a video program comprising at least one audio-visual segment of said video program that **relates to an identified domain of said video program**, as claimed in claim 25.

Appellant notes that, as set forth in MPEP §2110.01 **"Appellant may be own lexicographer"** and as set forth in MPEP §2173.05(a): **"When the specification states the meaning that a term in the claim is intended to have, the claim is examined using that meaning,** in order to achieve a complete exploration of the Appellant's invention and its relation to the prior art. *In re*

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Zletz, 893 F.2d 319, 13 USPQ2d 1320 (Fed. Cir. 1989)." The MPEP §2111 also states: "See also *In re Morris*, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997) (The court held that the PTO is not required, in the course of prosecution, to interpret claims in applications in the same manner as a court would interpret claims in an infringement suit. Rather, the "PTO applies to verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage as they would be understood by one of ordinary skill in the art, **taking into account whatever enlightenment by way of definitions or otherwise that may be afforded by the written description** contained in Appellant's specification.")."

In this particular case, the term "domain" is defined in Appellant's application at page 19, lines 15-20 of the specification: "controller 250 first identifies the type of the video program (referred to as a "domain" or "category" or "genre"). For example, the "domain" (or "category" or "genre") of a video program may be a "talk show" or a "news program." In the description that follows the term "domain" will be used."

Contrary to the Examiner's assertion, Ahmad does not teach this particular feature. Ahmad shows a browser for navigating a body of information represented by audiovisual data. The only application disclosed by Ahmad is a "news browser" that "can be used to review news stories acquired during one day from several television news programs (e.g., CNN Headline News, NBC Nightly News), as well as from text news sources (e.g., news wire services, traditional print media such as newspapers and magazines, and online news services such as Clarinet™)" (Col. 3:4-14).

Ahmad's news browser does not identify a domain of a video program because Ahmad's news browser only deals with one domain of video program, which is "news" programs.

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Additionally, as claimed in claim 25, the audio-video segments are related to the domain of the video program. This means that the method for creating the audio-video segments is different for each domain, or genre, of video program: the audio-video segments will not be selected the same way for, e.g., a talk-show, a news program or a sports broadcast (page 20, lines 4-19 of the specification). Appellant submits that Ahmad does not teach this feature. What Ahmad shows is a Graphical User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose between different topics in a news browser by clicking on one of the icons (Fig, 2A, 201; Fig. 2B, 211 and 215; Col. 3:26-33; Col. 15:8-42).

Moreover, in the Advisory Action dated 12/12/2005, the Examiner asserted that "reading the claims in broadest sense, Ahmad does meet the limitations of the claims. Ahmad discloses that user can "identify a domain of a video program" by selecting one the topic icons shown in Fig. 2b."

Appellant submits that this assertion in itself shows a misinterpretation of claim 25 by the Examiner. As claimed in claim 25, the identification of a domain of the video program is done in the video display system, not by the user.

Accordingly, claim 25 is patentable over Ahmad because Ahmad does not describe each and every element as set forth in the claim, neither expressly nor inherently.

Claims 26-27 and 29-31 depend from claim 25 and accordingly are allowable for at least this reason as well as for the separately patentable elements contained in claims 26-27 and 29-31.

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B. Rejection of Claims 4-6, 10-12, 16-18, 22-24, 28, 32, 33 and 35 under 35 U.S.C. §103(a)

Claims 4-6, 10-12, 16-18, 22-24, 28, 32, 33 and 35 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ahmad in view of US Patent No. 6,580,437 to Liou et al. ("Liou").

Claims 4-6

Appellant incorporates herein by reference the arguments presented above against the rejection of Claims 1-3 under 35 U.S.C. §102(e) over Ahmad. Claims 4-6 are dependent claims and are patentable due to base claim subject matter set forth above. Claim 4 is representative and sets forth "create said multimedia summary of said video program by determining a set of subtopic cues associated with said at least one topic cue, identifying at least one subtopic cue from said set of subtopic cues in said transcript of said video program, selecting at least one audio-visual segment from said video program associated with said at least one subtopic cue, and adding said subtopic cue and said audio-visual segment to said multimedia summary."

In the Final Office Action dated July 12, 2005, the examiner acknowledges that Ahmad does not disclose a feature where the system can determine and identify subtopic cues and select a video image related to the subtopics to add to the summary, and relies upon Liou for that feature.

As already shown above, Ahmad does not teach "identifying a domain of said video program" as set forth in the base claim 1. Appellant respectfully submits that Liou does not cure that deficiency. Liou is directed to a system for organizing videos based on closed-caption information, but Liou's system is a **domain-independent** video organization method (Col. 3:57-67), which by definition does not identify a domain of the video program. As set forth in the MPEP § 2143.03:

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To establish prima facie obviousness of a claimed invention, *all* the claim limitations must be taught or suggested by the prior art. In re Royka, 490 F.2d 981, 180 USPQ 580 (CCPA 1974). "All words in a claim must be considered in judging the patentability of that claim against the prior art." In re Wilson, 424 F.2d 1382, 1385, 165 USPQ 494, 496 (CCPA 1970). If an independent claim is non-obvious under 35 U.S.C. 103, then any claim depending therefrom is non-obvious. In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) (emphasis added).

Accordingly, Appellant submits that claim 4 is patentable over Ahmad in view of Liou because all claims limitations are neither taught nor suggested.

Claim 5 depends from claim 2 and accordingly is allowable for at least this reason as well as for the separately patentable elements contained in claim 5. Claim 5 further claims subject matter related to domain identification, topic cue identification and subtopic cue identification, which makes it similar to claim 4 and therefore allowable for the same reason that claim 4 is allowable.

Claim 6 depends from claim 4 and accordingly is allowable for at least this reason as well as for the separately patentable elements contained in claim 6.

Claims 10-12

Appellant incorporates herein by reference the arguments presented above against the rejection of Claims 7-9 under 35 U.S.C. §102(e) over Ahmad. Claims 10-12 are dependent claims and are patentable due to base claim subject matter set forth above. Claim 10 is representative and sets forth "create said multimedia summary of said video program by determining a set of subtopic cues associated with said at least one topic cue, identifying at least one subtopic cue from said set of subtopic cues in said transcript of said video program, selecting at least one audio-visual segment

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from said video program associated with said at least one subtopic cue, and adding said subtopic cue and said audio-visual segment to said multimedia summary."

In the Final Office Action dated July 12, 2005, the examiner acknowledges that Ahmad does not disclose a feature where the system can determine and identify subtopic cues and select a video image related to the subtopics to add to the summary, and relies upon Liou for that feature.

As already shown above, Ahmad does not teach "identifying a domain of said video program" as set forth in the base claim 7. Appellant respectfully submits that Liou does not cure that deficiency. Liou is directed to a system for organizing videos based on closed-caption information, but Liou's system is a **domain-independent** video organization method (Col. 3:57-67), which by definition does not identify a domain of the video program.

Accordingly, Appellant submits that claim 10 is patentable over Ahmad in view of Liou because all claims limitations are neither taught nor suggested.

Claim 11 depends from claim 8 and accordingly is allowable for at least this reason as well as for the separately patentable elements contained in claim 11. Claim 11 further claims subject matter related to domain identification, topic cue identification and subtopic cue identification, which makes it similar to claim 10 and therefore allowable for the same reason that claim 10 is allowable.

Claim 12 depends from claim 10 and accordingly is allowable for at least this reason as well as for the separately patentable elements contained in claim 12.

Claims 16-18

Appellant incorporates herein by reference the arguments presented above against the rejection of Claims 13-15 under 35 U.S.C. §102(e) over Ahmad. Claims 16-18 are dependent claims and are patentable due to base claim subject matter set forth above. Claim 16 is representative and sets forth "determining a set of subtopic cues associated with said at least one topic cue; identifying at least one subtopic cue from said set of subtopic cues in said transcript of said video program; selecting at least one audio-visual segment from said video program associated with said at least one subtopic cue; and adding said subtopic cue and said audio-visual segment to said multimedia summary."

In the Final Office Action dated July 12, 2005, the examiner acknowledges that Ahmad does not disclose a feature where the system can determine and identify subtopic cues and select a video image related to the subtopics to add to the summary, and relies upon Liou for that feature.

As already shown above, Ahmad does not teach "identifying a domain of said video program" as set forth in the base claim 13. Appellant respectfully submits that Liou does not cure that deficiency. Liou is directed to a system for organizing videos based on closed-caption information, but Liou's system is a **domain-independent** video organization method (Col. 3:57-67), which by definition does not identify a domain of the video program.

Accordingly, Appellant submits that claim 16 is patentable over Ahmad in view of Liou because all claims limitations are neither taught nor suggested.

Claim 17 depends from claim 8 and accordingly is allowable for at least this reason as well as for the separately patentable elements contained in claim 17. Claim 17 further claims subject matter

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related to domain identification, topic cue identification and subtopic cue identification, which makes it similar to claim 16 and therefore allowable for the same reason that claim 16 is allowable.

Claim 18 depends from claim 16 and accordingly is allowable for at least this reason as well as for the separately patentable elements contained in claim 18.

Claims 22-24

Appellant incorporates herein by reference the arguments presented above against the rejection of Claims 19-21 under 35 U.S.C. §102(e) over Ahmad. Claims 22-24 are dependent claims and are patentable due to base claim subject matter set forth above. Claim 22 is representative and sets forth "determining a set of subtopic cues associated with said at least one topic cue; identifying at least one subtopic cue from said set of subtopic cues in said transcript of said video program; selecting at least one audio-visual segment from said video program associated with said at least one subtopic cue; and executing said instructions in said multimedia summary generator to add said subtopic cue and said audio-visual segment to said multimedia summary."

In the Final Office Action dated July 12, 2005, the examiner acknowledges that Ahmad does not disclose a feature where the system can determine and identify subtopic cues and select a video image related to the subtopics to add to the summary, and relies upon Liou for that feature.

As already shown above, Ahmad does not teach "identifying a domain of said video program" as set forth in the base claim 19. Appellant respectfully submits that Liou does not cure that deficiency. Liou is directed to a system for organizing videos based on closed-caption

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information, but Liou's system is a **domain-independent** video organization method (Col. 3:57-67),

which by definition does not identify a domain of the video program.

Accordingly, Appellant submits that claim 22 is patentable over Ahmad in view of Liou

because all claims limitations are neither taught nor suggested.

Claim 23 depends from claim 8 and accordingly is allowable for at least this reason as well as

for the separately patentable elements contained in claim 23. Claim 23 further claims subject matter

related to domain identification, topic cue identification and subtopic cue identification, which

makes it similar to claim 22 and therefore allowable for the same reason that claim 22 is allowable.

Claim 24 depends from claim 22 and accordingly is allowable for at least this reason as well

as for the separately patentable elements contained in claim 24.

Claim 28

The Examiner rejected claim 28, stating:

"Claim 28 contains the limitations of claims 4 and 27 (wherein each speaker has one
video shot related to the speaker (See Liou Fig. 8 and 9)) and is analyzed as
previously discussed with respect to those claims."

Accordingly, Appellant incorporates herein by reference the arguments presented above for

claims 4 and 27, and submits that claim 28 is patentable for at least the same reasons that claims 4

and 27 are patentable over the cited art references. Additionally, Appellant notes that claim 28

ultimately depends from claim 25 and is therefore also allowable for the same reasons that claim 25

is allowable.

Claim 32

The Examiner rejected claim 32, stating:

"Claim 32 contains the limitations of claims 4 and 30 and is analyzed as previously discussed with respect to those claims."

Accordingly, Appellant incorporates herein by reference the arguments presented above for claims 4 and 30, and submits that claim 32 is patentable for at least the same reasons that claims 4 and 30 are patentable over the cited art references. Additionally, Appellant notes that claim 32 ultimately depends from claim 25 and is therefore also allowable for the same reasons that claim 25 is allowable.

Claim 33

The Examiner rejected claim 33, stating:

"Claim 33 contains the limitations of claims 6, 31 and 32 and is analyzed as previously discussed with respect to those claims."

Accordingly, Appellant incorporates herein by reference the arguments presented above for claims 6, 31 and 32, and submits that claim 33 is patentable for at least the same reasons that claims 6, 31 and 32 are patentable over the cited art references. Additionally, Appellant notes that claim 33 ultimately depends from claim 25 and is therefore also allowable for the same reasons that claim 25 is allowable.

Claim 35

The Examiner rejected claim 35, stating:

"Claim 35 contains the limitations of claims 32 and 33 and is analyzed as previously discussed with respect to those claims."

Accordingly, Appellant incorporates herein by reference the arguments presented above for

claims 32 and 33, and submits that claim 35 is patentable for at least the same reasons that claims 32

and 33 are patentable over the cited art references. Additionally, Appellant notes that claim 35

depends from claim 34 and is therefore also allowable for the same reasons that claim 34 is

allowable.

C. Rejection of Claims 36-38 under 35 U.S.C. §103(a)

Claims 36-38 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Ahmad in

view of an IEEE MultiMedia article by Satoh et al., titled "Name-It: Naming and Detecting Faces in

News Videos" ("Name-It article"), and US Patent No. 5,093,719 to Hoarty et al. ("Hoarty").

Claims 36-38

The Examiner rejected claim 36 stating:

"Claim 36 contains the limitations of claim 13 and is analyzed as previously discussed with respect to that claim. However, Ahmad does not disclose a feature where it obtains an image of a face of a person, verifies the identity, and adds the image of the face to the GUI summary."

Accordingly, Appellant incorporates hereafter the arguments presented above against the

rejection of Claim 13 under 35 U.S.C. §102(e) over Ahmad, and submits that Claim 36 is allowable

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for at least the same reasons that base Claim 13 is allowable. In particular, Appellant submits that

Ahmad does not teach a method for creating a multimedia summary comprising the step of

identifying a domain of a video program, as claimed in base Claim 13.

One of the features of the present invention, as claimed in base claim 13, is the steps of

identifying a domain of the video program and of combining portions of a transcript and portions of

audio-video segments **selected according to said domain.**

Appellant notes that, as set forth in MPEP §2110.01 "**Appellant may be own**

lexicographer" and as set forth in MPEP §2173.05(a): "**When the specification states the meaning**

that a term in the claim is intended to have, the claim is examined using that meaning, in order

to achieve a complete exploration of the Appellant's invention and its relation to the prior art. *In re*

Zletz, 893 F.2d 319, 13 USPQ2d 1320 (Fed. Cir. 1989)." The MPEP §2111 also states: "See also *In*

re Morris, 127 F.3d 1048, 1054-55, 44 USPQ2d 1023, 1027-28 (Fed. Cir. 1997) (The court held that

the PTO is not required, in the course of prosecution, to interpret claims in applications in the same

manner as a court would interpret claims in an infringement suit. Rather, the "PTO applies to

verbiage of the proposed claims the broadest reasonable meaning of the words in their ordinary usage

as they would be understood by one of ordinary skill in the art, **taking into account whatever**

enlightenment by way of definitions or otherwise that may be afforded by the written

description contained in Appellant's specification.")."

In this particular case, the term "domain" is defined in Appellant's application at page 19,

lines 15-20 of the specification: "controller 250 first identifies the type of the video program

(referred to as a "domain" or "category" or "genre"). For example, the "domain" (or "category" or

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"genre") of a video program may be a "talk show" or a "news program." In the description that follows the term "domain" will be used."

Contrary to the Examiner's assertion, Ahmad does not teach this particular feature. Ahmad shows a browser for navigating a body of information represented by audiovisual data. The only application disclosed by Ahmad is a "news browser" that "can be used to review news stories acquired during one day from several television news programs (e.g., CNN Headline News, NBC Nightly News), as well as from text news sources (e.g., news wire services, traditional print media such as newspapers and magazines, and online news services such as Clarinet™)" (Col. 3:4-14).

Ahmad's news browser does not identify a domain of a video program because Ahmad's news browser only deals with one domain of video program, which is "news" programs.

Additionally, as claimed in Claim 13, the audio-video segments are selected according to the domain of the video program. This means that the method for selecting the audio-video segments is different for each domain, or genre, of video program: the audio-video segments will not be selected the same way for, e.g., a talk-show, a news program or a sports broadcast (page 20, lines 4-19 of the specification). Appellant submits that Ahmad does not teach this feature. What Ahmad shows is a Graphical User Interface (GUI), i.e. a graphical menu with icons, which allows a user to choose between different topics in a news browser by clicking on one of the icons (Fig, 2A, 201; Fig. 2B, 211 and 215; Col. 3:26-33; Col. 15:8-42).

Moreover, in the Advisory Action dated 12/12/2005, the Examiner asserted that "reading the claims in broadest sense, Ahmad does meet the limitations of the claims. Ahmad discloses that user can "identify a domain of a video program" by selecting one the topic icons shown in Fig. 2b."

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Appellant submits that this assertion in itself shows a misinterpretation of Claim 13 by the Examiner. As claimed in Claim 13, the identification of a domain of the video program is done in the video display system, not by the user.

Accordingly, Claim 13 is patentable over Ahmad because Ahmad does not describe each and every element as set forth in the claim, neither expressly nor inherently. The Examiner relies upon the Name-It article and Hoarty as secondary references for the rejection of Claim 36 under §103(a). Appellant submits that those references do not cure the deficiencies of Ahmad regarding the "identification of a domain of the video program". Accordingly, Claim 36 is also patentable over Ahmad in view of the Name-It article and Hoarty.
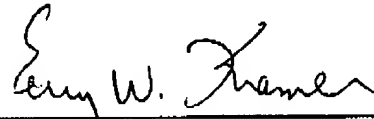
Claims 37 and 38 depend from Claim 36 and ultimately depend from claim 13. Accordingly, Appellant submits that Claims 37 and 38 are allowable for at least the same reason that Claims 13 and 36 are allowable.

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VIII. CONCLUSION

Appellant submits that all the claims on appeal are patentable because they are neither

anticipated nor suggested by the cited art references. Accordingly, reversal of all the rejections and

allowance of all the claims submitted on appeal is respectfully solicited.

Respectfully submitted,
KRAMER & AMADO, P.C.

Terry W. Kramer
Reg. No. 41,541

February 14, 2006
Date

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CLAIMS APPENDIX

1.   For use in a video display system capable of displaying a video program, a system for creating a multimedia summary of said video program, said system comprising:

a multimedia summary generator capable of identifying a domain of said video program and obtaining a transcript of the text of said video program and capable of obtaining audio-video segments of said video program,

wherein said multimedia summary generator is capable of combining portions of said transcript and portions of said audio-video segments selected according to said domain of said video program to create a multimedia summary of said video program.

2.   The system as claimed in Claim 1 wherein said multimedia summary generator is capable of creating said multimedia summary by selecting an audio-video segment that relates to a topic of said video program, said topic selected according to said domain of said video program, and by adding said topic and said audio-video segment to said multimedia summary.

3.   The system as claimed in Claim 2 wherein said multimedia summary generator comprises:

a controller capable of executing computer software instructions contained within a memory coupled to said controller to create said multimedia summary of said video program by

determining a set of topic cues associated with said domain of said video program,

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identifying at least one topic cue from said set of topic cues in said transcript of said video program,

selecting at least one audio-visual segment from said video program associated with said at least one topic cue, and

adding said topic cue and said audio-visual segment to said multimedia summary.

4. The system as claimed in Claim 3 wherein said controller is capable of executing computer software instructions contained within a memory coupled to said controller to create said multimedia summary of said video program by

determining a set of subtopic cues associated with said at least one topic cue,

identifying at least one subtopic cue from said set of subtopic cues in said transcript of said video program,

selecting at least one audio-visual segment from said video program associated with said at least one subtopic cue, and

adding said subtopic cue and said audio-visual segment to said multimedia summary.

5. The system as claimed in Claim 2 wherein said multimedia summary generator comprises a controller capable of executing:

a domain identification application capable of identifying said domain of said video program;

a topic cue identification application capable of identifying at least one topic cue in said transcript of said video program;

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a subtopic cue identification application capable of identifying at least one subtopic cue in said at least one topic of said video program; and

an audio-visual template identification application capable of identifying at least one audio-visual segment according to an audio-visual template associated with said at least one topic cue, and capable of identifying at least one audio-visual segment according to an audiovisual template associated with said at least one subtopic cue.

6.   The system as claimed in Claim 4 wherein said controller is capable of executing computer software instructions contained within a memory coupled to said controller to create an entry point for each topic that will allow a viewer to access each topic in said multimedia summary, and to create an entry point for each subtopic that will allow a viewer to access each subtopic in said multimedia summary.

7.   A video display system capable of creating a multimedia summary of a video program, said video display system comprising:

a multimedia summary generator capable of identifying a domain of said video program and obtaining a transcript of the text of said video program and capable of obtaining audio-video segments of said video program,

wherein said multimedia summary generator is capable of combining portions of said transcript and portions of said audio-video segments selected according to said domain of said video program to create a multimedia summary of said video program.

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8.   The video display system as claimed in Claim 7 wherein said multimedia summary generator

is capable of creating said multimedia summary by selecting an audio-video segment that relates to a

topic of said video program, said topic selected according to said domain of said video program, and

by adding said topic and said audio-video segment to said multimedia summary.

9.   · The video display system as claimed in Claim 8 wherein said multimedia summary generator

comprises:

        a controller capable of executing computer software instructions contained within a memory

coupled to said controller to create said multimedia summary of said video program by

                determining a set of topic cues associated with said domain of said video program,

                identifying at least one topic cue from said set of topic cues in said transcript of said

video program,

                selecting at least one audio- visual segment from said video program associated with

said at least one topic cue, and

                adding said topic cue and said audio-visual segment to said multimedia summary.

10.   The video display system as claimed in Claim 9 wherein said controller is capable of

executing computer software instructions contained within a memory coupled to said controller to

create said multimedia summary of said video program by

        determining a set of subtopic cues associated with said at least one topic cue,

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identifying at least one subtopic cue from said set of subtopic cues in said transcript of said video program,

selecting at least one audio-visual segment from said video program associated with said at least one subtopic cue, and

adding said subtopic cue and said audio-visual segment to said multimedia summary.

11.   The video display system as claimed in Claim 8 wherein said multimedia summary generator comprises a controller capable of executing:

a domain identification application capable of identifying said domain of said video program;

a topic cue identification application capable of identifying at least one topic cue in said transcript of said video program;

a subtopic cue identification application capable of identifying at least one subtopic cue in said at least one topic of said video program; and

an audio-visual template identification application capable of identifying at least one audio-visual segment according to an audio-visual template associated with said at least one topic cue, and capable of identifying at least one audio-visual segment according to an audiovisual template associated with said at least one subtopic cue.

12.   The video display system as claimed in Claim 10 wherein said controller is capable of executing computer software instructions contained within a memory coupled to said controller to create an entry point for each topic that will allow a viewer to access each topic in said multimedia

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summary, and to create an entry point for each subtopic that will allow a viewer to access each

subtopic in said multimedia summary.

13.   For use in a video display system capable of displaying a video program, a method for

creating a multimedia summary of said video program, said method comprising the steps of:

identifying a domain of said video program;

obtaining a transcript of the text of said video program in a multimedia summary

generator;

obtaining audio-video segments of said video program in said multimedia summary

generator; and

combining portions of said transcript and portions of said audio-video segments in said

multimedia summary generator to create said multimedia summary of said video program,

wherein said portions of said audio-video segments are selected according to said domain of

said video program.

14.   The method as claimed in Claim 13 wherein the step of combining portions of said transcript

and portions of said audio-video segments in said multimedia summary generator to create said

multimedia summary of said video program comprises:

selecting an audio-video segment that relates to a topic of said video program, said topic

selected according to said domain of said video program; and

adding said topic and said audio-video segment to said multimedia summary.

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15.   The method as claimed in Claim 14 further comprising the steps of:

receiving in a multimedia summary generator instructions from computer software stored in a memory coupled to said multimedia summary generator;

executing said instructions in said multimedia summary generator to determine a set of topic cues associated with said domain of said video program;

executing said instructions in said multimedia summary generator to identify at least one topic cue from said set of topic cues in said transcript of said video program;

executing said instructions in said multimedia summary generator to select at least one audio-visual segment from said video program associated with said at least one topic cue; and

executing said instructions in said multimedia summary generator to add said topic cue and said audio-visual segment to said multimedia summary.

16.   The method as claimed in Claim 15 further comprising the steps of:

executing said instructions in said multimedia summary generator to determine a set of subtopic cues associated with said at least one topic cue;

executing said instructions in said multimedia summary generator to identify at least one subtopic cue from said set of subtopic cues in said transcript of said video program;

executing said instructions in said multimedia summary generator to select at least one audio-visual segment from said video program associated with said at least one subtopic cue; and

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executing said instructions in said multimedia summary generator to add said subtopic cue and said audio-visual segment to said multimedia summary.

17.   The method as claimed in Claim 14 further comprising the steps of:

identifying said domain of said video program with a domain identification application;

identifying at least one topic cue in said transcript of said video program with a topic cue identification application;

identifying at least one subtopic cue in said at least one topic of said video program with a subtopic cue identification application;

identifying at least one audio-visual segment according to an audio-visual template associated with said at least one topic cue with an audio-visual segment identification application; and

identifying at least one audio-visual segment according to an audio-visual template associated with said at least one subtopic cue with said audio-visual template identification application.

18.   The method as claimed in Claim 16 further comprising the steps of:

executing said instructions in said multimedia summary generator to create an entry point for each topic that will allow a viewer to access each topic in said multimedia summary; and

executing said instructions in said multimedia summary generator to create an entry point for each subtopic that will allow a viewer to access each subtopic in said multimedia summary.

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19.   For use in a video display system capable of displaying a video program, computer-executable instructions stored on a computer-readable storage medium for creating a multimedia summary of said video program, the computer-executable instructions comprising the steps of:

identifying a domain of said video program;

obtaining a transcript of the text of said video program in a multimedia summary generator;

obtaining audio-video segments of said video program in said multimedia summary generator; and

combining portions of said transcript and portions of said audio-video segments in said multimedia summary generator to create said multimedia summary of said video program, wherein said portions of said audio-video segments are selected according to said domain of said video program.

20.   The computer-executable instructions stored on a computer-readable storage medium as claimed in Claim 19 wherein the step of combining portions of said transcript and portions of said audio-video segments in said multimedia summary generator to create said multimedia summary of said video program comprises:

selecting an audio-video segment that relates to a topic of said video program, said topic selected according to said domain of said video program; and

adding said topic and said audio-video segment to said multimedia summary.

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21.   The computer-executable instructions stored on a computer-readable storage medium as claimed in Claim 20 further comprising the steps of:

    determining a set of topic cues associated with said domain of said video program;

    identifying at least one topic cue from said set of topic cues in said transcript of said video program;

    selecting at least one audio-visual template associated with said at least one topic cue; and

    adding said topic cue and said audio-visual segment from said video program to said multimedia summary.

22.   The computer-executable instructions stored on a computer-readable storage medium as claimed in Claim 21 further comprising the steps of:

    determining a set of subtopic cues associated with said at least one topic cue;

    identifying at least one subtopic cue from said set of subtopic cues in said transcript of said video program;

    selecting at least one audio-visual segment from said video program associated with said at least one subtopic cue; and

    executing said instructions in said multimedia summary generator to add said subtopic cue and said audio-visual segment to said multimedia summary.

23.   The computer-executable instructions stored on a computer-readable storage medium as claimed in Claim 20 further comprising the steps of:

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identifying said domain of said video program with a domain identification application;

identifying at least one topic cue in said transcript of said video program with a topic cue identification application;

identifying at least one subtopic cue in said at least one topic of said video program with a subtopic cue identification application;

identifying at least one audio-visual segment according to an audio-visual template associated with said at least one topic cue with an audio-visual segment identification application; and

identifying at least one audio-visual segment according to an audio-visual template associated with said at least one subtopic cue with said audio-visual segment identification application.

24.   The computer-executable instructions stored on a computer-readable storage medium as claimed in Claim 22 further comprising the steps of:

creating an entry point for each topic that will allow a viewer to access each topic in said multimedia summary; and

creating an entry point for each subtopic that will allow a viewer to access each subtopic in said multimedia summary.

25.   For use in a video display system capable of displaying a video program, a multimedia summary of a video program comprising at least one audio-visual segment of said video program that relates to an identified domain of said video program.

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26.   The multimedia summary of a video program as claimed in Claim 25 further comprising at least one portion of a transcript of said video program.

27.   The multimedia summary of a video program as claimed in Claim 25 comprising at least one audio-visual segment of said video program that relates to at least one topic related to said identified domain of said video program.

28.   The multimedia summary of a video program as claimed in Claim 27 comprising at least one audio-visual segment of said video program that relates to at least one subtopic in said at least one topic related to said identified domain of said video program.

29.   The multimedia summary of a video program as claimed in Claim 25 wherein said multimedia summary is capable of displaying one of:

    text from said video program, audio from said video program, a single video frame from said video program, a video segment comprising a series of video frames from said video program, and an audio-visual segment comprising audio from said video program and a series of video frames from said video program.

30.   The multimedia summary of a video program as claimed in Claim 27 comprising a plurality of audio-visual segments of said video program, wherein each of said plurality of audio-visual segments relates to a topic related to said identified domain of said video program.

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31.   The multimedia summary of a video program as claimed in Claim 30 further comprising a
topic entry point associated with each of said plurality of audio-visual segments that relates to a
topic, in which each topic entry point allows a viewer to access the audio-visual segment associated
with said topic.

32.   The multimedia summary of a video program as claimed in Claim 30 comprising a plurality
of audio-visual segments of said video program, wherein each of said plurality of audio-visual
segments relates to a subtopic of a topic related to said identified domain of said video program.

33.   The multimedia summary of a video program as claimed in Claim 32 further comprising a
subtopic entry point associated with each of said plurality of audio-visual segments that relates to a
subtopic, in which each subtopic entry point allows a viewer to access the audio-visual segment
associated with said subtopic.

34.   For use in a video display system capable of displaying a video program, a multimedia
summary of a video program comprising

        a plurality of audio-visual segments of said video program that relate to at least one topic
related to said identified domain of said video program; and

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at least one topic entry point associated with said plurality of audio-visual segments that

relate to said at least one topic of said video program, in which said at least one topic entry point

allows a viewer to access the plurality of audio-visual segments associated with said topic.

35.   The multimedia summary of a video program as claimed in Claim 34 further comprising

a plurality of audio-visual segments of said video program that relate to at least one subtopic

of said at least one topic related to said identified domain of said video program; and

at least one subtopic entry point associated with said plurality of audio-visual segments that

relate to said at least one subtopic of said at least one topic of said video program, in which said at

least one subtopic entry point allows a viewer to access the plurality of audio-visual segments

associated with said subtopic.

36.   The method as claimed in Claim 13, said method further comprising the steps of:

obtaining an image of a face of a person in said video program with audio-visual template

identification application after said person first appears in said video program;

subsequently confirming the identity of said person by checking at least one identifying

characteristic of said person; and

adding said image of said person to said multimedia summary after the identity of said person

has been confirmed.

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37.   The method as claimed in Claim 36 wherein said at least one identifying characteristic of said

person comprises one of:

        an identification of the face of said person, an identification of the voice of said person, and a

name plate of said person.

38.   The method as claimed in Claim 36 wherein at least one identifying characteristic of said

person comprises an identification of the face of said person and an identification of the voice of said

person.

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EVIDENCE APPENDIX

Listing and copies of evidence relied upon by the Examiner as to grounds of rejection to be reviewed on Appeal:

1.   US Patent No. 6,263,507 to Ahmad et al.

2.   US Patent No. 6,580,437 to Liou et al.

3.   US Patent No. 5,093,719 to Hoarty et al.

4.   IEEE MultiMedia article by Satoh et al., titled "Name-It: Naming and Detecting Faces in News Videos".

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